

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
)	
Section 20.19 of the Commission's Rules)	WT Docket No. 01-
	309	
Governing Hearing Aid-Compatible Telephones)	RM-8658

Supplemental Report
Hearing Aid Compatibility--Inductive Coupling

Blanca Telephone Company ("Reporter"), a digital wireless service provider, pursuant to the Federal Communications Commission's ("Commission" or "FCC") *Order* in WT Docket No. 07-309, FCC 03-168, 29 CR 1299 (August 14, 2003), at the staff's request, hereby files a supplemental report concerning the availability of digital phones for the hearing impaired.^{1 2}

1) Does Reporter currently comply with Section 20.19(d)(2) of the Commission's Rules? **Response:** Yes.

¹ On July 7, 2004 the FCC published notice that it had obtained OMB approval to collect hearing aid compatibility reports from wireless carriers. 69 Fed. Reg. 40928 (Wednesday, July 7, 2004). Pursuant to the Report and Order, Amendment of Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones, 68 Fed. Reg. 54173 (September 16, 2003), reports are due every six months after rule effectiveness for the first three years and then annually for the next two years. The first reports were filed in November 2004.

² The staff clarified that the waiver request should not be withdrawn; we appreciate the staff comment and Reporter withdraws the withdrawal request.

2) On what date did Reporter first comply? **Response:** Reporter was fully compliant as of June 20, 2007.

3) For each interface for which waiver is sought, which 2 handsets were offered on the initial compliance date? Please provide the manufacturer name, model number, and FCC ID number of these 2 t-coil certified handsets. **Response:** Reporter received its first T-coil compliant handset on September 22, 2006--Motorola V3c (IHDT56FT1). Reporter received its second T-coil compliant handset on June 20, 2007--Samsung SCH-A870 (A3LSPHA870).

4) Additional information in support of the waiver request: Reporter's March 29, 2007 *Report* incorrectly, but inadvertently, indicated that its understanding was that it was T-Coil compliant because it carried the following handsets: "Kyocera K132, Kyocera Kx5, Kyocera K323, and Kyocera [sic Motorola] V3c." In preparing the instant *Report* undersigned counsel reviewed the handset FCC equipment ID numbers provided by Reporter for those handsets and determined that of the handsets listed in the March 29, 2007 *Report*, only the Motorola V3c was T-coil compliant. Upon notification Blanca promptly ordered and obtained the Samsung SCH-A870 T-coil compliant handset for stock.

5) Blanca regrets the error. In March 2007 when the March *Report* was filed there was confusion at Blanca about the meaning of "HAC compliance." Blanca had overlooked that the T-coil/inductive coupling requirement had become effective and Blanca reported on acoustic coupling/M-rating compliant handsets. At that time it did not occur to undersigned counsel to check FCC equipment ID numbers as a verification procedure and the March 2007 *Report* as filed was a transcription of information received from Blanca.³ Blanca

³ Had the staff not requested FCC equipment authorization numbers

thought that it was complying with the Commission's HAC rules and undersigned counsel did not then recognize a way to oversee compliance. Counsel endeavors to keep his clients rule compliant and to keep his clients' reporting accurate and this situation is, needless to say, most embarrassing.

6) Currently, Blanca has approximately 400 wireless customers and it is a very small wireless carrier. No person has ever requested that Blanca provider him/her with a HAC compliant handset. Within 4 days of the September 22, 2006 T-coil compliance deadline, and within 4 days of filing the underlying waiver request, Blanca had obtained a T-coil compliant handset for retail distribution. Thus, the time between T-coil rule implementation and receipt of a T-coil compliant handset was very brief. When Blanca recently realized that it needed an additional handset model to comply with the HAC rule Blanca promptly ordered and received its second T-coil compliant handset model.

7) Reporter views FCC rule compliance with utmost importance, but it in this case the ball was inadvertently dropped. However, because Blanca did have on hand one T-coil compliant handset within days of the T-coil rule implementation date, because no member of the public sought a T-coil compliant handset or was otherwise harmed by the oversight, and because Blanca promptly achieved full rule compliance upon notification of its prior misunderstanding, it is respectfully requested that Blanca's period of non-compliance be viewed as non-detrimental to the public interest and that the requested waiver be granted *nunc pro tunc*.

June 21, 2007

Respectfully Submitted,
Timothy E. Welch
Hill & Welch
1330 New Hampshire Ave., N.W. #113
Washington, D.C. 20036

undersigned counsel does not believe that it would have ever occurred to him to check FCC equipment ID numbers to determine which handsets had been T-coil certified; undersigned counsel does not recall ever being involved in an FCC equipment ID authorization proceeding in over 20 years of practicing.

202-775-0070
Reporter's Attorney